

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

MICHAEL DUANE

PETITIONER

v.

No. 3:21CV149-MPM-JMV

MARTIN L. FRINK

RESPONDENT

ORDER OF DISMISSAL

The court takes up, *sua sponte*, the dismissal of this cause. On July 6, 2021, the court entered an order requiring the petitioner to either pay the filing fee in this case or to complete and return the forms necessary to proceed as a pauper. The court cautioned the petitioner that failure to comply with the order would result in the dismissal of this case without prejudice. The petitioner has filed two documents the court construed as supplements to his petition; however, neither document constituted compliance with the court's order. Thus, the petitioner has failed to comply with the court's order, and the deadline to do so passed on July 27, 2021. This case is therefore **DISMISSED** without prejudice for failure to prosecute and for failure to comply with an order of the court under FED. R. CIV. P. 41(b).

SO ORDERED, this, the 3rd day of September, 2021.

/s/ Michael P. Mills

**UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI**